

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

|                            |   |                          |
|----------------------------|---|--------------------------|
| ANTHONY L. GAINES,         | : |                          |
|                            | : |                          |
| Petitioner,                | : |                          |
|                            | : |                          |
| v.                         | : | Civ. Act. No. 05-555-JJF |
|                            | : |                          |
| THOMAS L. CARROLL, Warden, | : |                          |
|                            | : |                          |
| Respondent.                | : |                          |

**O R D E R**

At Wilmington, this 15 day of August, 2006, for the  
reasons set forth in the Memorandum Opinion issued this date;

IT IS HEREBY ORDERED that:

1. Petitioner Anthony L. Gaines' Application For A Writ Of  
Habeas Corpus Pursuant To 28 U.S.C. § 2254 (D.I. 1) is **DISMISSED**,  
and the relief requested therein is **DENIED**.

2. Petitioner's Motions for Discovery are **DENIED** as moot.  
(D.I. 10; D.I. 13.)

3. The Court declines to issue a certificate of  
appealability because Petitioner has failed to satisfy the  
standards set forth in 28 U.S.C. § 2253(c)(2).

  
UNITED STATES DISTRICT JUDGE